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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/684,201	10/10/2003	Chinsoo Park	364106/0338	2884

7590 03/08/2007  
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New York, NY 10038

EXAMINER
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DAVIS, CASSANDRA HOPE

ART UNIT	PAPER NUMBER
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3611

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/08/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/684,201

Applicant(s)

PARK ET AL.

Examiner

Cassandra Davis

Art Unit

3611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) 1-11, 13-23 and 25-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4, 5, 7-11, 13, 14, 16-20, 22, 23, 25, 26 and 28 is/are rejected.
- 7) ☒ Claim(s) 3, 6, 15, 21 and 27 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                               | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                      | 5) <input type="checkbox"/> Notice of Informal Patent Application                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 4, 5, 7, 8, 10, 11, 13, 14, 17-19, 20, 22, 25, 26, and 28 are rejected under 35 U.S.C. 102(b) as being anticipated by Hudson, U. S. Patent 4,993,177.

3. With respect to claim 1, 4, 11, 13, 16, 17, Hudson teaches a card holder system a card holder (frame 12) designed and dimensioned to selectively retain a card (picture 16), a retention member (chain 43 or adhesive strip 39) adapted for retaining the card holder 12 to a support, and an adapter member (hook and loop fastener 41) designed and dimensioned to be coupled with the card holder 12. The adapter member 41 allows the card holder 12 to be selectively positioned in a first orientation (portrait position, vertical) and second orientation (landscape position,

horizontal), wherein the second orientation ninety degrees with respect to the first orientation.

4. With respect to claim 2, the retention member (chain 43 or adhesive strip 39) is adapted to be secured to the sidewall of a cage.

5. With respect to claims 4 and 19, Hudson teaches guide slot 24 along the sidewall 20 of the holder 12, guide slot 23 along the top wall 17 of the holder, and guide slot 25 along the bottom wall.

6. With respect to claim 5 and 20, Hudson teaches the adapter member 41 allows the cardholder 12 to be selectively positioned in a first orientation (portrait position, vertical) and second orientation (landscape portion, horizontal).

7. With respect to claim 7, Hudson teaches the retention member (adhesive strip 39) having an abutment wall (the contact surface between the strip and the frame) which facilitates the retention of the holder on the retention member.

8. With respect to claims 8 and 22, Hudson teaches the holder or frame 12 is molded of a suitable thermo-setting plastic material.

9. With respect to claim 10 and 25, the retention member is an adhesive strip adhered to both the holder and the support surface.

10. With respect to claims 11, 14, 26, the retention member (adhesive strip 39) is integrally connected to the sidewall of holder and the sidewall of the support when attached.

11. With respect to claims 16 and 28, since the cage is not positively claimed in combination with the holder, the holder taught by Hudson anticipates the claim.

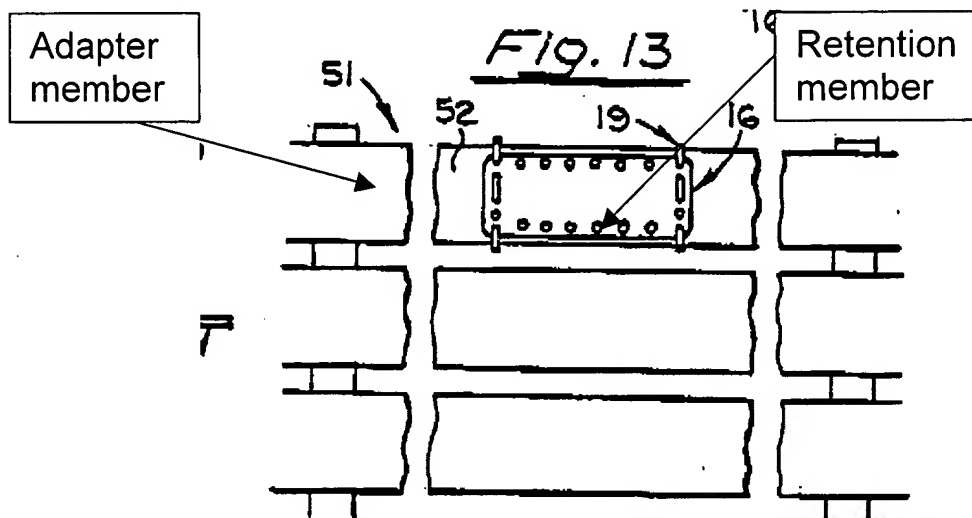
12. With respect to claim 17, since neither the retention member nor the cage is positively claimed in combination with the cardholder, Hudson anticipates the claim.

13. With respect to claim 18, Hudson teaches a recessed portion on the back of the holder to receive and remove the card. See figure 1.

1. Claims 1, 2, 5, 8, 9, 11, 14, 16, 17 20, 22, 23, 26, 28 are rejected under 35 U.S.C. 102(b) as being anticipated by Gabbert, U. S. Patent 6,073,378.

2. Regarding claims 1, 4, Gabbert teaches a sign cover adapted to attached to a cage comprising a transparent card holder 16, a retention member 19 adapted to retain the card holder 16 to the cage and a adapter member 19 designed and dimension to be coupled with the card holder

such that the holder may be selective positioned in a first or second orientation.



The left tie (adapter) corresponds to the adapter member and the right tie corresponds to the retention member. The cardholder 16 can be mounted either vertical or horizontal (see figures 9 and 13).

14. With respect to claims 2 and 5, the retention member 19 can be attached to a cage.

15. With respect to claims 8, 9, 22, and 23, the cardholder taught by Gabbert is made of clear (transparent) or colored transparent (translucent) plastic.

16. With respect to claims 11, 14, 26, the retention member (tie 19) is integrally connected to the sidewall of the support when attached.

17. With respect to claims 16 and 28, since the cage is not positively claimed in combination with the holder, the holder taught by Hudson anticipates the claim.

***Allowable Subject Matter***

18. Claims 3, 6, 15, 21, and 27 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


***Response to Arguments***

19. Applicant's arguments with respect to claims 1, 4, 13, 16, and 17 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cassandra Davis whose telephone number is 571-272-6642. The examiner can normally be reached on Monday-Friday 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lesley Morris can be reached on 571-272-6651. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Cassandra Davis  
Primary Examiner  
Art Unit 3611

CD  
March 4, 2007